wanted to bring to the attention of the Government that their activities in this direction should be increased so that with the institution of the Land Mortgage Bank the objects with which the Bank is going to be established may be achieved. In view of the assurance given to us now by the Hon'ble Diwan Peishkar I do not think that I should press this resolution. I therefore, beg leave of the House to withdraw the resolution.

Resolution was, by leave, withdrawn.

2. Calling forth applications for appointment in the State Services.

Mr. C. S. Viswanatha Ayyar.— "*This Council recommends to the Government that in future no vacancies of appointments in any Department should be filled up, without advertising such vacancies and calling applications for such vacancies*".

Mr. President, Sir, it will be seen that my resolution is an absolutely harmless one and if accepted both by the House and the Government will lead to a better and healthy principle being introduced in the State services which will go a long way to satisfy the requirements of many parties in the House. It is needless for me to point out that the clamour for the appointment of a Service Commission has not so far received any encouraging attention from the Government. In the absence of a service commission I consider that the only other safe course would be to act up to my resolution. My resolution only wants the Government to call for applications for appointments so that the Government can consider the available talents for filling up of vacancies. Whenever any Hon'ble Member brings to the notice of the Government the injustice done to any particular individual or class of people in the matter of any recent appointment, the Government generally answer that the best available hand has been appointed. We are not able to say whether the claims of available candidates had been considered. Again, Sir, we have often heard complaints from deserving candidates with high qualifications that they were never aware of the existence of the vacancy and the vacancy comes to the knowledge of the country only after it is being filled up behind the back of the subjects of the State. It is therefore necessary that an opportunity should be given to all subjects of the State to bring to the notice of the Government their intention to serve the Government and to place all their claims and qualifications before the Government for due consideration.

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Our State has been receiving encomiums from all public persons in India and elsewhere as the highly advanced State in the matter of education and literacy. It is a proud fact to reflect that sons of the Cochin soil have passed very high examinations in all branches of education throw open to Indians—the examinations in Medicine, in Civil, Mechanical and Electrical Engineering, in Law, in Arts, etc. As such I do believe, Sir, that there would certainly be deserving and willing candidates for any appointment to be made in the State if only they are given an opportunity to put in their claims. I have heard from State subjects serving the British India Government that they are certainly willing to give up their jobs in British India and take up service under the Government of our beloved Highness the Maharaja.

It is certainly superfluous on my part to bring to the notice of the House the various appointments made behind even the notice of the public. It so happens that the Government anticipate the certainty of a vacancy month before it arises and actually make arrangements for filling up of the same without the knowledge of the subjects of the State who come to know of such vacancy having cropped up only after the appointment has been completed and published. My resolution only attempts at stopping this practice of doing things behind the notice of the public. Instances are not wanting to support my statement. As matters now stand the Government consider the claims of those who are known personally to the appointing authority and those who had thrust in an application in a casual way. We are now told, Sir, if what rumour says is going to come true, that the impending vacancy in the Engineering Department due to the impending retirement of Mr. N. Rajagopala Chari is going to be filled up by some importations from foreign lands. I can assure the House and the Government that sons of the Cochin Soil who have come out successful in the highest examinations held for training engineers, are willing to serve the Cochin Government if only they are given an opportunity. The Government is aware that many from the State have passed the Bachelor of Engineering examination and that many who have found service in British India and who have distinguished themselves in such service will be willing to come back to their native land and place at the disposal of their mother country all the talents which they possess only if proper publicity is given apprising them of the opportunity of serving the State. Our State has supplied the British Indian Administration with many members for its civil service and in other departments as well. This instance of the present

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Director of Public Instruction who gave up a good and enviable position with attractive prospects in the Madras Educational Service to serve his own native land is a striking example of a native of this State, who had secured attractive jobs and gained excellent experience in British India, willing to come back to Cochin State if only an opportunity is given to them. It is not necessary for me to add further instances to illustrate the wholesome effects arising from out of the acceptance of my harmless resolution. Not only will it give an opportunity for State subjects in other services to offer their services to the State but also it will bring to the notice of the Government the claims of all the available talents in the State. This will certainly be a most welcome state of affairs and will go a long way in satisfying in a most moderate way themany persistent demands of this House for democratising the services. In the absence of a service commission I believe, Sir, that if my resolution is accepted by the Government it will be the next best solution for meeting the demands of this House. With these words I have great pleasure in commending this resolution for the acceptance of this House and feel confident that such a harmless and beneficient resolution as this will commend itself to all sections of the House.

Mr. K. M. Ibrahim.—I second it.

Mr. T. S. Balarama Ayyar.—I move this amendment at this stage because I think half a loaf is better than no loaf. I am afraid that the resolution as it stands now is beyond practical politics.

Mr. President.—It is not the intention of the Government to recruit men other than *bona fide* Cochinites.

Mr. T. S. Balarama Ayyar.—There may be cases where with regard to technical men you may have to go outside Cochin. With that view I move this amendment.

"This Council recommends to the Government that in future in all such cases where recruitments of persons who are not *bona fide* Cochinites are thought of or have to be resorted, no vacancies of appointments carrying monthly salaries of not less than 50 rupees to start with in any Department should be filled up, without advertising such vacancies and calling application for such vacancies".

I mention the figure 50, to minimise the difficulties of Government.

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Dr. A. R. Menon.—By making declarations like this in this Council the net result will be that the British Government will retaliate with such a resolution. Whatever may be the policy of the Government it is better not to make a declaration and lay it down in the Statute Book which will be shown to you when you go there. A large number of Cochinites are holding very high places in British India where there will be only one or two non-Cochinites in the service of this Government. A similar declaration was made a few years ago and the result was that it was quite difficult to get admission even to the colleges, viz., the Medical and Engineering Colleges. I honestly think it is a very dangerous policy and an unnecessary policy. Let there be an understanding that as far as possible Cochinites would be preferred as there is an understanding there also. I do not think there is any necessity for a declaration like that which will react upon us adversely.

Mr. T. K. Nayar.—We oppose the amendment.

Mr. T. S. Narayana Ayyar.—With regard to this amendment the position of Government cannot be better stated than it has been by the Hon'ble Member for Pallipuram. Regarding the main resolution itself, as the Hon'ble Member for Trichur observes, it is an absolutely impracticable proposition. It is not possible to advertise any kind of vacancy, as it arises, without reference to the exigencies of the service. In fact, Hon'ble Members are aware where the appointment is one which requires technical qualifications Government do advertise. Instances there had been in the past of such advertisements having been made. I can recall three recent instances. One is the place of the Principal of the Maharaja's College, Ernakulam. The second is that of an officer to be deputed for training in leprosy. The third is for training in the treatment of epidemic diseases. In cases where it is felt that it might not be possible to recruit an officer of the required type from the State service itself, we advertise to find out a suitable man. Even without an advertisement the present position with regard to applications for posts has become almost unmanageable. To simplify the selection a new system is now being followed. As each application is received in the Secretariat, it is entered in a register with all the particulars about the candidate—name, qualifications, age, community, the post applied for, present appointment or previous experience if any, and remarks. After these details are noted in the Secretariat the application is forwarded to the Head of the Department if the post is one within his power of appointment. We are doing the best thing possi-

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ble under the circumstances. Even without advertisement, applications are coming in huge numbers. It is impossible to advertise for each and every appointment that is made by Government. Government cannot accept the resolution.

Mr. President.—Is there any idea to import an outsider for appointment in the Engineering Department?

Mr. T. S. Narayana Ayyar.—No, Sir.

Mr. T. S. Balarama Ayyar.—Sir, I withdraw my amendment.

The amendment was, by leave, withdrawn.

The resolution was put and lost.

Mr. P. Kumaran Ezhuthassan.—A poll, Sir.

POLL.

Ayes.	Noes.
1. Mr. K. Ashtamoorthy Namburipad.	1. Mr. K. Achyuta Menon.
2. Mr. K. Ayyappan.	2. Mr. P. J. Alexander.
3. Mr. A. Eachara Menon.	3. Mr. V. K. Aravindaksha Menon.
4. Mr. George Parakkal.	4. Mr. T. S. Balarama Ayyar.
5. Mr. P. Govinda Menon.	5. Mr. M. P. Cherian.
6. Mr. K. M. Ibrahim.	6. Miss. G. M. D'Souza.
7. Mr. E. Ikkanda Warriar.	7. Mr. V. S. Krishnan Vydiar.
8. Mr. T. C. Iyyukkutty.	8. Mr. K. Krishna Warriar.
9. Mr. C. R. Iyyunni.	9. Mr. K. S. Manickam.
10. Mr. V. K. Krishnankutty.	10. Mr. T. S. Narayana Ayyar.
11. Mr. T. K. Nayar.	11. Mr. I. N. Menon.
12. Mr. P. Kumaran Ezhuthassan.	12. Mr. K. Narayana Menon.
13. Mr. K. Kunjirama Menon.	13. Mr. T. Narayana Menon.
14. Mr. K. M. Kunhi Moideen.	14. Mr. P. Neelakanta Menon.
15. Mr. V. K. Kutty.	15. Dr. D. Raghavendra Rao.
16. Mr. C. P. Lonappan.	16. Dr. A. R. Menon.
17. Mr. A. Narayana Menon.	17. Rama Varmha Tampuran.
18. Mr. K. S. Panickar.	18. Mr. A. Sankara Menon.
19. Miss. P. Meenakshikutty Amma.	19. Dr. E. S. R. Menon.
20. Mr. R. Viswanathan Chettiar.	20. Mr. Shabdai S. Koder.
21. Mr. C. S. Viswanatha Ayyar.	21. Mr. M. Sivarama Menon.
	22. Mr. P. V. Subramania Ayyar.
	23. Mr. Thomas Manjuran.
	24. Mr. P. C. Varckey.
	25. Mr. A. V. Moothedan.

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Mr. President—21 for and 25 against. The motion is lost.

Dr. A. R. Menon.—Sir, the next resolution stands in the name of Mr. Popatlal Goverdhan Lalan. Unfortunately, he is not present here. I request you to allow us to take it up later on. This is a very important resolution.

Mr. President.—I have no objection, if the House do not object to it.

3. Adoption of British Indian rates of Court fee for ejection suits

Mr. A. Eachara Menon.—"*That this Council recommends to the Government that the Court Fee prevailing in the British parts be adopted here also in the matter of ejection suits.*"

Sir, the Court fee charged here in the matter of ejection suits is calculated at 5 times the rental of the property whereas in British India it is calculated on the land revenue collection of the year. It is to introduce that method here that I propose to move this resolution.

Mr. C. S. Viswanatha Ayyar.—I second it.

Mr. Thomas Manjuran.—Sir, Government regret their inability to accept this resolution. It is rather curious that the Hon'ble Member for Chittur pitched upon this one point of difference between the British Court Fee and the Cochin Court Fee Regulation, because, as a matter of fact, except perhaps on this one item, the Court Fees prescribed under the British Act are very much higher than the Court Fees here. There the maximum goes up to 11¼ per cent whereas our maximum is only 6¼ per cent. We shall, if the House so desire it, adopt all the rates contained in the British Court Fee Regulation, including the rates fixed in the matter of ejection suits. It would be obviously unfair to the Cochin Revenues to take this one item alone.

Dr. A. R. Menon.—What is the difference between the two?

Mr. Thomas Manjuran.—Under the British Court Fees Regulation, for ejection suits, the valuation is made on the land revenue, but here it is on the net rental value and the amount is calculated at 5 times the rent. In British India, the land revenue is to be multiplied in some cases by 10 and in some other cases by 20 and the Court Fee to be paid on that.

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